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ALBANIA TRIP REPORT

WOMEN'S LEGAL RIGHTS INITIATIVE UNDER THE WOMEN IN DEVELOPMENT IQC

Contract No. GEW-I-00-02-00016-00



WLR Legal specialist Mary Theisen giving training certificate to Maksu Guri, Chief, Anti-terror Unit, Tirana District Police, Tirana, May 17, 2006

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SECTION I

Travel Dates, Destination and Purpose

From May 12 – May 26, 2005, Mary Theisen, Deputy Chief of Party (DCOP), and Clare Ye Sheng, WLR Associate, were in Tirana, Albania, conducting WLR-related activities with the local Legal Advisor, Emira Shkurti, and the local Administrative Assistant, Ms. Manjola Orgocka.

The primary purpose of this trip was to participate in and assist with the implementation of a two-day training “Developing a Coordinated Community Response to Domestic Violence” in Tirana, assess the status of the draft domestic violence (“DV”) legislation and plan WLR’s follow-up programming in the DV area. WLR also met with various partners and stakeholders to solicit feedback on both past programs and to plan Year Five activities, and met with USAID/Albania to discuss progress in WLR programs and results achieved to date. WLR also had an opportunity to observe one of the fifteen trainings on CEDAW by Refleksione conducted in Pogradec, a mid-sized city in Albania’s eastern region.

Ms. Ye Sheng reviewed field office administrative and financial procedures and monitored compliance with Chemonics’ and USAID’s requirements for field office management. Ms. Sheng ensured comprehensive evaluation of the domestic violence training and the CEDAW public awareness campaign undertaken by Refleksione. Ms. Sheng also worked with Ms. Orgocka, WLR’s administrative assistant, on logistic and administrative issues in preparation for the October, 2006, DC-based study tour on domestic violence, and captured one success story from the project from the last quarter.

SECTION II

Trip Results

A. “Developing a Coordinated Community Response to Domestic Violence” training, May 16-17, 2006.

WLR conducted a 2-day training program for select participants from Albanian ministries, police services, the judiciary, the Tirana District prosecutor’s office, and NGO representatives who will be responsible for the implementation of any future law on DV, and who can even act now within their separate capacities and responsibilities to protect DV victims. A total of 32 were invited, and, of those, a core group of 20 participants remained actively involved and interested throughout the two days of training. The sustained interest in the training, and active participation of these individuals is evidence of the intense interest within Albania on this topic and is testament of the relevance of WLR’s activities. WLR considers the training as quite successful and is particularly gratified that the representatives of the police and prosecutors, all men, were engaged throughout.

The training had three purposes: (1) To expose Albanian policy makers and NGO representatives to how community-coordinated response (CCR) is effected in the US and in Italy; (2) To ensure they understand the primary elements of the Albanian draft law; and (3) To assist them in developing action plans for the creation of a CCR in Albania, consistent with the draft law. Please note that, even if the law is not passed in the next year, there are countless steps all actors can take, and no legal bar, to creating a framework of addressing seriously domestic violence cases.



Dianne Post, American expert on domestic violence law, leading action planning session, Tirana, May 17, 2006.

WLR recruited Ms. Dianne Post, a US attorney with extensive experience on DV issues internationally, to present the US approach and to conduct the action planning. Ms. Cristina Motta, a prosecutor from Verona, Italy, presented the Italian system, and Ms. Arta Mandro, Deputy Director of the Albanian School of Magistrates, carefully reviewed the draft law and ensured each group understood their respective responsibilities.

Trainers used a blend of adult-learning methods, including role playing, small group discussions and use of case studies. During day two of the training, participants divided according to profession and developed action plans for implementation of the DV law for (1) prosecutors and the courts (2) health workers (3) police (4) ministry of labor and social affairs (the lead implementing agency) and (5) NGOs. The training agenda is in Annex A, and the list of participants in Annex B.

The training was very successful, as evidenced by the overwhelmingly positive evaluations. Not only did participants fill out questionnaires, but several consented to being interviewed by Ms. Ye Sheng for a more in-depth response. One participant, a prosecutor, commented that the training was very effective and that it was well-advised to have included the ministries, the police, judges, social workers, and health workers who can form the basis of a future network. A judge who has attended previous WLR trainings explained that this is the only place where she can learn about legal rights of women and share experiences and exchange information with international experts. A social worker from the only domestic violence shelter in Tirana told Ms. Sheng that she felt empowered by the knowledge of the DV law and that, as a result of this training, she believes she can more effectively aid the battered women who come to the shelter.

The written evaluations were overwhelmingly positive as well. Participants commented on the professionalism and clarity of the presentations and were impressed by the methodology of combining the European and American experiences. They also stated that the interactive nature of the presentations contributed to their deeper understanding of the law. They found the exercises conducted during the training useful, especially the case studies. Amongst the most interesting and important topics that the participants mentioned were the Stockholm syndrome (explaining the psychology why many DV victims do not leave their abusers), American and Italian experiences on implementation of the law, witness protection order, structures dictating roles and responsibilities, coordination among the NGOs and other institutional actors, the action planning, and presentations of the DV law. Fourteen participants expressed interest in participating in a working group to implement the DV law.

B. Status of DV draft law

The draft law is currently before Parliament. To learn of its status and gauge its prospects for rapid parliamentary consideration, WLR first met with Marjana Bello of the

Citizens' Advocacy Office ("CAO"). While WLR is aware that the DV law was introduced to Parliament in January, 2006, it was not clear what, if any, activities CAO may have engaged in since then in support of the draft law. Ms. Bello informed WLR that the law was before the Speaker of the Parliament, but Ms. Bello was uncertain whether the law had been considered by any of the commissions. This was disappointing since CAO was the author of the bill and should have been keeping a closer eye on it. This was also disappointing since WLR had been relying on CAO's repeated representations that the bill *was pending before three parliamentary commissions* – the Commission on Labor and Social Affairs, the Legal Commission, and the budget commission.

As a result of this meeting, WLR determined that, henceforth, Emira Shkurti would begin cultivating her own contacts within Parliament so WLR would have its own sources of information, and thus be better positioned to advocate for parliamentary action and manage other programming that could be implemented once the DV law is passed.

After the CAO meeting, Ms. Theisen, Ms. Shkurti, and two representatives of the OSCE who share the same interest in the DV draft law, arranged a meeting with Mr. Fatos Baja, the Chair of the Laws Commission of Parliament. Mr. Baja had recently replaced Mr. Ngyele, who had been pushed out of office after he fell out of favor with Prime Minister Sali Berisha. To WLR's growing concern, Mr. Baja stated bluntly that he was unaware of the existence of this law until shortly before our meeting. This does not speak well to the system of internal communications within Parliament, and contradicts CAO's prior representations to WLR. Mr. Baja also stated that CAO, when they presented the bill in January, apparently failed to provide Parliament a report (called a "*Relazione*") explaining the background of the bill and implications on the national budget. The *Relazione* is required before a law can be officially entered onto the parliamentary agenda.

To gain a deeper understanding of the process, , Ms. Theisen and Ms. Shkurti subsequently met with Ms. Melida Bregu, Deputy Chair of the Commission on Labor and Social Affairs. WLR also sought a meeting with Ms. Topalli herself, the Speaker of the Albanian Parliament, but as this was not possible, we were content to meet with Ms. Bregu. Ms. Bregu informed us that the bill is before Ms. Topalli, and was, admittedly, languishing, in that a parliamentary staff member whose job was to review it and return to Ms. Topalli for referral to the relevant commissions, had not yet done so. Ms. Bregu reassured WLR, however, that Ms. Topalli will take a renewed interest in the bill and that the appropriate committees shall formally receive the bills soon.

WLR also learned through these meetings that there may be some confusion within Parliament regarding how to handle a bill that was introduced via a citizens' petition, as opposed to the regular channels, i.e., via introduction by a Member of Parliament or government ministry. While the Chair of the Laws Commission believed the bill should be considered no differently, Ms. Elina Koci of USAID maintained that Parliament needs to certify the validity of the 20,000 signatures. WLR has reason to be confident that the Chair of the Laws Commission's opinion will prevail in this matter.

While these procedural issues are being resolved, WLR will continue providing technical assistance to future implementers of the DV law. To this end, WLR, as of this writing, has fielded Ms. Post on a 4-phase consultancy, the details of which have been submitted to USAID Washington and USAID/Albania. The 1st phase of her consultancy will be focused, like a laser beam, on ensuring quick, legal consideration by of the bill by the necessary officials and commissions within Parliament. Ms. Post will work closely with the Center for Legal Civic Initiatives on lobbying activities in support of the bill. WLR is pleased to have the assistance of Ms. Post, as she is eminently qualified in this arena.

C. *Refleksione* and the CEDAW public education campaign

WLR had an opportunity to observe first-hand WLR subcontractor *Refleksione*'s CEDAW-related activities. On May 22, Ms. Ye Sheng traveled to Pogradec, a mid-size city in the east of Albania, near the border with Macedonia, to observe two (of *Refleksione*'s continuing series of fifteen) seminars on CEDAW and WLR's CEDAW Report. Ms. Emira Shkurti and Ms. Ye Sheng observed one seminar for municipal public administrators and the other for secondary school teachers. Both seminars had similar formats that included brainstorm sessions, group exercises, role plays, presentations, action planning, and final evaluations. Each seminar was tailored to the audience and addressed issues that affected them in their daily work. Participants were active in both seminars; the public administrators included three male attendees who were quite involved in the discussions ranging from the need for more positive female representation in the media, reform and strengthening of the Albanian government's office on gender equality, to the sensitivity of dealing with abused girls in schools. The trainings were well received; WLR will receive translated evaluations as part of *Refleksione*'s deliverable.



Municipal administrator making point during CEDAW seminar, Pogradec, May 22, 2006 (top);
Secondary school teachers discussing CEDAW, Pogradec, May 22, 2006

Ms. Sheng and Ms. Manjola Orgocka met with Ms. Monika Asllani, the Executive Director of *Refleksione*, few days following the seminars in Tirana. Ms. Asllani spoke about *Refleksione*'s history, its vision and its work for women's economic and social empowerment in Albania since 1994. In detail, Ms. Asllani explained the CEDAW dissemination process, especially spoke at length about the planning and conducting of the seminars. Ms. Asllani is currently in discussion with WLR regarding the follow-up activities after this initial dissemination contract.



Monika Asllani, Executive Director of *Refleksione*, Tirana office, May 24, 2006

D. Support for Magistrates School

The Magistrates School has completed its winter/spring courses, which included the two that WLR had sponsored, anti-trafficking law and gender sensitivity and awareness. WLR, in a meeting with Ms. Ariana Fullani, Executive Director of the School, was pleased to learn that these courses will be continued for the next academic year. The School will not be requesting WLR's financial support as they have managed to include these courses in their permanent, ongoing curriculum, funded from the school's own budget. WLR will soon be able to verify this after it receives the school's official curriculum for October 2006 – June 2008, which Ms. Fullani will issue within the next few months. The Magistrates School's decision to self-sustain these courses is a successful impact of the WLR program in Albania.

E. WLR Action Planning for Year Five

During this trip Ms. Theisen planned with Ms. Shkurti WLR Albania's substantive activities for the remainder of Year Four (June through September 2006) as well as for Year Five. Various options were developed depending on the level of funding available to WLR Albania. In Year Five, WLR will be able to conduct substantive programming only through July 2007, after which the office will need to focus on administrative close-out matters and tying up loose ends.

The following is a brief overview of Year Five activities: In family law, WLR plans to provide 100 family law judges from throughout Albania with comprehensive training on implementation of the 2004 family law code, to take place in Durres in November, 2006. Whereas recent WLR trainings focused on only the most difficult aspects, i.e., property division in divorce and creating and amending marital contracts, the November training will cover all other areas presenting difficulties for judges. WLR and the Magistrates School will co-sponsor this important training.

In the area of DV law, WLR activities will focus on technically improving the current draft legislation, promoting adequate and open debate on the law within Parliament,

Careful consideration of the draft by Parliamentary Commissions, and passage by the end of 2006. WLR has solicited a project proposal from the Center for Civil Legal Initiatives (CCLI) to help fund that organization's short-term intensive advocacy activities in support of the DV bill.

Concurrently, WLR, through the rest of 2006, will prepare ministries and NGOs for implementation of a coordinated community response, which can be done without the legal underpinnings that passage of the draft legislation would provide. This work will be of long-term benefit to communities who can develop a community response regardless of the legislation. WLR also hopes to develop a pilot project in the Tirana District Court, which could start in 2007.

Ms. Shkurti will continue to dedicate time to advising the Government of Albania's inter-agency effort to develop a new Gender Equality Law to replace the poorly written, and never implemented, law from 2004. At this stage, a draft law creating a new gender equality committee for Albania, with substantive powers, is awaiting consideration by the Ministry of Labor and Social Affairs. In the meantime, Ms. Shkurti and other recognized experts on gender equality and women's legal rights, will be advising an inter-agency committee that is cooperating with international organizations and local NGOs in the creation of a comprehensive gender equality strategy for Albania.

Before the end of Year Four, WLR will also finish and disseminate the Anti-Trafficking in Persons Resource Manual. As of this writing, the English version is complete and is being vetted by the OSCE, after which it will be translated back into Albanian for final review by the two Albanian experts who made extensive substantive contributions. While this last phase is occurring, WLR is developing a dissemination plan. At this point WLR does not anticipate conducting formal training on this manual since no less than seven international and donor organizations are now involved in different aspects of anti-trafficking programming and training in Albania, including training of judges (via the Magistrates School). After the resource manual is completed, WLR intends to close out its activities in this area.

Finally, WLR plans to continue disseminating the CEDAW Report, and, to this end, intends to enter into a Phase II contract with the reliable *Reflexione* for follow-up activities centered on educating the public and policy makers on CEDAW and Albania's compliance with CEDAW. More details will be forthcoming in the Year Five Action Plan and future quarterly reports.

SECTION III

Mission Support and Success Stories

A. Mission Support

The USAID Mission in Albania continues to support WLR programs in country. They are particularly pleased with the democratic, highly participatory method in which the draft domestic violence law was presented to Parliament, i.e., via a citizens' petition. WLR and USAID discussed next steps for the draft law, and, given that the draft bill had effectively stalled in Parliament, USAID encouraged WLR to focus on lobbying and advocacy capacity building activities initially, before turning to preparing stakeholders for future implementation. WLR agreed with this approach, and has requested the DV consultant, to focus on advocacy and lobbying amongst stakeholders and Parliamentary understanding and support for the law. At the same time, WLR is confident that it has explained to the Mission staff that developing a community-coordinated response to DV cases need not be grounded in law, such that Ms. Post, in the absence of Parliamentary passage of the DV draft, will still be contributing tremendously to Albania's efforts to address this vicious social problem.

B. Success Story

Ms. Ye Sheng identified a success story to capture recent activities of WLR Albania. The success story is a case study on *Refleksione's* distribution of the CEDAW report. The challenge is that there is a vacuum of knowledge about the rights that women are entitled to under the international conventions such as CEDAW. WLR Albania took the initiative to contract with *Refleksione*, Albania's oldest women's rights organization, to effectively disseminate the messages and increase awareness of rights due to women. The organization utilizes creative mediums such as mass media, seminars to targeted groups, and lectures to large audience of students. These methods will be discussed in more detail, as well as observations at two of the seminars in Pogradec. The information is not only contained in the capital city of Tirana, rather, it travels far east to Pogradec and south to Shkodra, and all over Albania via televised broadcast. The breadth of dissemination contributes to the gradual closing of that gap in knowledge and increases awareness of women's rights. The participatory and relevant nature of the seminars and lectures seeks to help the participants internalize the information. The TV spot, articles published, and televised roundtable incites discussion as well as mass public awareness of women's rights.

ANNEX A

AGENDA

Developing a Community Coordinated Response to Domestic Violence

*16-17 May 2006
Tirana International Hotel*

A training program presented by the Women's Legal Rights Initiative/Albania

Purpose: “There is a great need to tackle domestic violence in Albania. A more co-operative relationship between government and civil society should be built to combat violence against women. To reduce the incidence of domestic violence in Albania, there is a need for a shared vision that translates into concerted actions. In order to both prevent and help the victims, lawyers, psychologists, doctors, police and social workers need to work together.” *Conclusion from the report “Mapping of Existing Information on Domestic Violence in Albania,” supported by the National Committee of Women and Family and UNICEF, October 2000.*

Day One

- | | |
|--------------|---|
| 8:30-9:00 | Registration |
| 9:00 - 9:30 | Welcome & introduction of trainers, participants and their organizations
Discussion of agenda
Prevalence of DV in USA and world-wide

Mary Theisen, Deputy Chief of Party, WLR |
| 9:30 – 9:45 | Presentation of reorganization efforts at the Ministry of Labour, Social Affairs and Equal Opportunities to better address gender equality issues. Sphere of competence, objectives, challenges. Ministry's relation to domestic violence issues.

Rajna Kovaçi, Director, Equal Opportunities Department |
| 9:45 – 10.30 | Revisiting concepts of domestic violence (DV)
Types of DV
Prevalence of DV in Albania (statistical data)
Myths and facts about DV
Causes of DV – power and control

Arta Mandro, School of Magistrates of Albania |

- 10:30 – 11:15 Trauma and its effects – what must professionals know?
Impact of DV on victims - post-traumatic stress disorders, depression, anxiety, etc.

Dianne Post, DV expert, USA
- 11:15 -11:40 *Coffee Break*
- 11:40 – 12:20 What can the community do?
Presentation on community coordinated responses in the USA
Questions and answers

Dianne Post, DV expert, USA
- 12:20-13:10 Presentation on community coordinated responses in Italy
Questions and answers

Maria Cristina Motta, Public Prosecutor, Verona
- 13:10-14:30 *Lunch break*
- 14:30 – 15:15 The inadequacy of existing Albanian legislation.
Group discussion of participants' experiences, successes and challenges in applying existing laws

Arta Mandro, Magistrates School of Albania
- 15:15 – 15:30 *Coffee break*
- 15:30 – 16:30 Presentation of draft Albanian DV law - the novelties, the process

Arta Mandro, Magistrates School of Albania
- 16:30 – 17:00 Introduction to action planning for participants
Preparation for Day Two activities

Dianne Post, DV expert, USA

Day Two

- 9:00-10:00 Developing a community-coordinated response to DV- the role of local government officials (social services agencies) and public health professionals
Short description of US and Italian models, followed by discussion of options for Albania according to DV draft law

All the three lecturers

10:00 – 11:00 Developing a community-coordinated response to DV- the role of law enforcement, judges and prosecutors

Short description of US and Italian models, followed by discussion of options for Albania according to DV draft law

All the three lecturers

11:00 – 11:20 *Coffee Break*

11.20 – 12.00 Developing a community-coordinated response to DV- the role of NGOs

Short description of US and Italian models, followed by discussion of options for Albania according to DV draft law

All the three lecturers

12:00 – 13:00 The need for secondary legislation, policies, protocols and training
Issues to consider - suggestions from American and Italian experts
Discussion facilitated by Albanian trainer

All the three lecturers

13:00 – 14:30 *Lunch break*

14:30 – 15.30 Case Study in Domestic Violence – role of local authorities and court
Small group discussions of solutions
Report back to larger group and large group discussion

Facilitation by Dianne Post or discussion led by all three lecturers

15.30 – 15.45 *Coffee break*

15.45 – 16.45 Action Planning — Developing a coordinated community response to Domestic Violence in Albania, beginning with Tirana

Dianne Post, DV expert, USA

16:45 – 17.00 Evaluation forms and concluding remarks
Mary Theisen, WLR Chief of Party

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ANNEX B

Developing a Community Coordinated Response to Domestic Violence

List of Participants (those that remained throughout training and actively participated)

Tirana International Hotel
May 16-17, 2006

Nr.	Name	Position	Nr. Tel.	E-mail
1.	Tonin Vocaj	Chief, Crimes Against Person and Property Unit, Ministry of Public Order	0682828620	vocajtonin@yahoo.com
2.	Arjan Kurti	Chief, Anti-Terror Section Unit, Durres Police District (handles sensitive crimes)	0682123557	
3.	Nuri Loca	Specialist, Directorate Against Terrorist Acts, Ministry of Public Order	0682077714	locanuri2006@yahoo.com
4.	Maksi Guri	Chief, Anti-Terror Unit, Tirana District Police	0692310141	
5.	Aurela Anastasi	Executive Director, Center for Civic Legal Initiatives	0682031447	aurela_anast@yahoo.com
6.	Aurela Bozo	Coordinator, DV Project, Center for Civic Legal Initiatives	0692366046	aurboz@yahoo.com
7.	Monika Asllani	Executive Director, Refleksione	0682049380	monikakocaqi@yahoo.com
8.	Kozeta Jakupi	Coordinator, Refleksione		
9.	Eglantina Gjermeni	Executive Director, Gender Alliance for Development Centre	0682049227	
10.	Edlira Haxhiymeri	Executive Director, Shelter for Abused Women	0692070031	edlira1960@yahoo.com
11.	Rajna Kovaçi	Director, Committee for Equal Opportunity, Ministry of Labor & Social Affairs		rajkovaci@albmail.com
12.	Valbona Jaupllari	Specialist, Ministry of Labor & Social Affairs	682050541	bonajaupllari@yahoo.com
13.	Nedime Ceka	Head of Reproduction Health Section/Ministry of Health		
14.	Miranda Spahiu	Specialist, Reproductive Health Unit, Ministry of Health		
15.	Nurie Çausi,	Director, Health Information and Technology Unit, Ministry of Health		
16.	Eli Gjika,	Specialist in Health Information and Technology, Ministry of Health		
17.	Viola Kopani,	Specialist, Directorate of Health Strategy, Ministry of Health		
18.	Mirela Fana	Judge, Tirana District Court		
19.	Kaçe Agolli	Judge, Tirana District Court		
20.	Dritan Reshka	Public Prosecutors' Office, Tirana District		
21.	Gentian Osmani	Public Prosecutors' Office		
22.	Majlinda Murati	Ministry of Health and Social Affairs		